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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

MAXIMILIAN KLEIN, et al., on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

FACEBOOK, INC.,

Defendant.

Case No. 20-CV-08570-LHK (VKD)

Hon. Virginia K. DeMarchi

CLASS ACTION

**ADMINISTRATIVE MOTION TO
CONSIDER WHETHER ANOTHER
PARTY'S MATERIAL SHOULD BE
SEALED**

1 Pursuant to Civil Local Rule 79-5(f), Advertiser Plaintiffs hereby file this Administrative
2 Motion to Consider Whether Another Party's Material Should Be Sealed. Certain exhibits to
3 Plaintiffs' concurrently filed Opening Brief Regarding Facebook, Inc.'s August 20, 2021 Clawback
4 Notice have been designated by Defendant Facebook, Inc., as "Confidential" or "Highly
5 Confidential" under the Stipulated Protective Order (Dkt. No. 111). These documents, which are
6 attached to this Motion, are:

- 7 • Ex. B – Facebook's Aug. 20, 2021 Supplemental Privilege Log
- 8 • Ex. C – PALM-002033279
- 9 • Ex. D – PALM-002033773
- 10 • Ex. E – PALM-002033748
- 11 • Ex. L – PALM-002033644

12 References to these documents in Plaintiffs' Opening Brief have been redacted from the publicly filed
13 version, and an unredacted version of the Opening Brief is attached to this Motion with the references
14 highlighted. *See* Civ. L.R. 79-5(e).

15 Further, Plaintiffs have redacted certain information in the attached Ex. J, which is an email
16 correspondence between counsel for Plaintiffs and Facebook. Facebook has not designated this
17 information as "Confidential" or "Highly Confidential" under the Stipulated Protective Order, but
18 Plaintiffs have redacted it out of an abundance of caution. Plaintiffs take no position on whether this
19 information meets the legal standard for sealing in this Court.

20 Plaintiffs respectfully request that the Court grant their motion to consider whether the above-
21 referenced Facebook material should be sealed.

1 Dated: November 8, 2021

2 Respectfully submitted,

3 By: /s/ Brian J. Dunne

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